

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: December 11, 2014

Agenda Item: Waters Approved for Commercial Bait Seining – Annual Rule

Division: Fisheries

Action Needed: Proposed

Time Needed on Agenda for this Presentation: 10 minutes

Background

A bait fish seining license is required for: 1) persons 15 years of age and older to seine for and transport bait fish for commercial purposes in Montana; and 2) for any person who seines for and has in their possession more than 24 dozen non-game bait fish. The Commission may designate waters that are allowed for these purposes, and FWP describes these waters annually in the Commercial Bait Seining Application form.

Public Involvement Process & Results

If approved by the Commission, the current list of approved waters plus the changes proposed here will be released for a 15-day public comment period. Attached to this list is a rationale for each individual proposed change. Based on the comments received, the list will be modified (if necessary) and proposed to the Commission for final approval in January.

Alternatives and Analysis.

One lake (Flat Lake) is proposed for deletion from the approved seining water list, and three waters (two lakes and one creek) are proposed for addition to the list. The reason for the proposed deletion is that the water does not produce suitable numbers of bait fish to make commercial seining a sustainable activity. Additionally, Flat Lake water is periodically shared with Fort Peck Reservoir via culvert (at higher water levels) raising the potential of Eurasian Water Milfoil (EWM) presence in Flat Lake. The proposed additions are in response to current interest being expressed in commercial collections and the judgment that the collections would not deplete bait fish species necessary to maintain gamefish populations. The exception to this is on Herrig Creek where collections will be restricted to the lower portions of the creek and after trout spawning.

The proposed changes include:

- **Western District:** Burnt Lake, Fish Lake, Herrig Creek.
- **Eastern District:** Flat Lake

Agency Recommendation & Rationale

FWP has proposed the three additional waters for seining because they have abundant bait fish populations and should be able to sustain commercial harvest. The restrictions on Herrig Creek should be sufficient to protect rainbow trout populations and prevent disruption of spawning activities. The risk of transmission of EWM associated with bait fish in Flat Lake justifies the cessation of commercial collections there. Other waters are still available for commercial collections in the vicinity of Fort Peck Reservoir.

Proposed Motion

I propose to approve these waters for removal/addition to the list of lakes authorized for collection by bait fish seining license holders, pending review of public comments following a 15-day comment period.